



**TELECOMMUNICATIONS FOR THE DEAF, INC.**

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October 27, 2005

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Telecommunications Relay Services and Speech-to-Speech Services for  
Individuals with Hearing and Speech Disabilities  
CG Docket No. 03-123

Dear Ms. Dortch,

Mr. Claude Stout, Executive Director, Telecommunications for the Deaf and Hard of Hearing, Inc., Ms. Cheryl Heppner, Vice Chair, Deaf & Hard of Hearing Consumer Advocacy Network, Mr. Kelby Brick, Director, National Association of the Deaf Law and Advocacy Center, and Mr. Jeff Rosen, General Counsel, National Council on Disability, met with Federal Communications Commission Chairman Kevin J. Martin in the afternoon of Thursday, October 20, 2005. Ms. Monica Desai, Chief, FCC Consumer & Governmental Affairs Bureau, and Ms. Michelle Carey, Legal Advisor (Wireline) to the Chairman, were also present at the meeting.

The consumer group representatives discussed a range of issues related to blocking of Video Relay Service calls with Chairman Martin. A number of key points/expectations were made with the Chairman as follows:

- a) We have the right to access Video Relay Services (VRS) with any provider, regardless of equipment. In other words, we are asking for functional equivalency in the marketplace.
- b) VRS came into being as a result of Title IV (Relay Services) of the Americans with Disabilities Act. The FCC is commended for not impairing development of additional TRS applications as new technologies emerge.
- c) All VRS calls are compensated from the NECA Interstate TRS Fund, thus public funds cannot be used to support a restrictive system in the market.
- d) Public safety must be an overriding factor when considering VRS policy issues. When it becomes mandatory for VRS providers to handle 911 or any other

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emergency calls, the callers must have the capacity to switch to another VRS provider in event the first preferred one is not available to take the call.

- e) VRS is an equal access service. People who are hearing need this service as much as individuals who are deaf or hard of hearing. We expressed strong concerns on lack of capability in differentiating to which video device an incoming VRS call comes through to us. Equally difficult, hearing callers attempt to make VRS calls, often not aware of which video device we use, and which provider some of us use. Often, the calls do not get through, and the hearing callers give up making future calls. One example is that ninety percent of deaf and hard of hearing parents have hearing children, and it is important that these children be able to call their parents in case of a family emergency
- f) A story was shared with the Chairman regarding a female VRS user who wanted to make a VRS call about her abusive husband, she got a male interpreter, felt uncomfortable to work with him, and requested a female interpreter. Her request was declined, and since she was participating in a restrictive system, she went ahead to make the call to her friend. Because she was still working with the male interpreter, she never discussed her plight with the other party. Later in the day, she ended up in the hospital badly beaten.
- g) We came to the meeting representing the best interests of consumers who benefit enormously from using VRS. We came with no other motive; rather we seek to achieve equal, unlimited access in the VRS market. All Americans have the right to participate in free enterprise. Like any other Americans, VRS users deserve the ability to decide with whom to do VRS business. We have experienced choice of provider in other settings, and we expect the same with VRS.
- h) We fully understand industry is concerned about recouping costs of its investment, but it should not be at the expense of consumer access. The FCC needs to consider options to reimburse industry for research and development expenses. We agreed it is vital that the industry gets incentives to invest in, and innovate new technology.
- i) We cited the case of Madison River Telephone Company in which the FCC fined the company for blocking its ports to calls made over the Internet. The decision was made consistent with Section 201(b) of the Communications Act of 1934. This reinforces our expectations for a seamless communications network when we use VRS or any other TRS service feature.
- j) We asked that the FCC make some immediate decisions on the VRS blocking issue. VRS providers anticipated what they were getting into when they ventured into the market to offer their services. Prior to joining the market, any responsible provider would have conducted a thorough analysis of benefits, risks, and return on investment that VRS would bring them.

The consumer leaders thanked the Chairman for meeting with them and hearing their concerns and recommendations on today's use of VRS. They also shared their vision about the kind of future to which the FCC should commit to ensure that VRS becomes

part of the seamless national communications network serving all Americans.

Sincerely,

A handwritten signature in black ink that reads "Claude L. Stout". The signature is fluid and cursive, with the first name "Claude" being the most prominent part.

Claude L. Stout  
Executive Director  
Telecommunications for the Deaf and Hard of Hearing, Inc.

Cheryl A. Heppner  
Vice Chair  
Deaf & Hard of Hearing Consumer Advocacy Network

Kelby Brick  
Director  
National Association of the Deaf Law and Advocacy Center

Jeff Rosen  
General Counsel  
National Council on Disability

cc: Commissioners Kathleen Abernathy, Michael Copps, and Jonathan Adelstein  
Monica Desai, Chief, FCC Consumer & Governmental Affairs Bureau  
Michelle Carey, Legal Advisor (Wireline) to the Chairman  
Sheri Farinha, Representative, California Coalition of Agencies Serving the Deaf  
and Hard of Hearing